
Nebraska

Workers' Compensation Court

Schedule of Fees for Implantable Medical Devices

Effective January 1, 2008



Schedule of Fees for Implantable Medical Devices

Instructions

The Nebraska Workers' Compensation Court has established this schedule pursuant to section 48-120 of the Nebraska Workers' Compensation Act. This schedule applies to implantable medical devices provided by a hospital, ambulatory surgical center, physician, or other provider, except for implantable medical devices covered by the Diagnostic Related Group inpatient hospital fee schedule established in section 2 of LB 588 (Laws 2007, LB 588, §2), and except for implantable medical devices covered by contract pursuant to section 48-120(1)(d).

1. EFFECTIVE DATE

This schedule is effective January 1, 2008 and applies to implantable medical devices provided on or after that date. It also applies to implantable medical devices provided by a hospital on an inpatient basis prior to January 1, 2008 when the patient is discharged on or after January 1, 2008.

2. FEE COMPUTATION

When the total charges for implantable medical devices utilized during one stay equal or exceed \$10,000 and the total cost of all such devices equals or exceeds \$10,000, then the fee under this schedule will be the total cost of all such devices plus 25 percent. If the total cost of all such devices is less than \$10,000, then the fee will be determined in accordance with the Hospital or Medical Schedule as applicable.

3. IMPLANTABLE MEDICAL DEVICE

For purposes of this schedule, an implantable medical device is an instrument, apparatus, implement, machine, contrivance, implant, or other similar related article, including a component part or accessory, which is partly or totally inserted into the human body or a natural orifice and is intended for permanent placement in the body, and surgical or medical procedures are used to insert or apply such device and surgical or medical procedures are necessary to remove such device.

4. COST

For purposes of this schedule, the cost of an implantable medical device is the cost of procuring the device from a third party vendor, including any sales tax, shipping and handling fees, and other expenses related to the procuring of the device.

5. DOCUMENTATION

If implantable medical devices are not separately identified, an itemized list of devices shall be provided upon request of the payor. If evidence of the cost of implantable medical devices is not provided, verification of the cost shall be provided upon request of the payor.

6. EXPLANATION OF REDUCTIONS

Any insurance company, employer, or other payor who reduces charges from a provider according to this schedule must include a reasonable and accurate written explanation of the basis for the payment. When payment is denied, specific written reasons for the denial shall be provided. All explanations must identify the person or entity that determined the basis for the payment or denial, the person or entity ultimately responsible for payment, and a telephone number where further explanation can be obtained.